

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 13

VINCENT M. ZACCARDO,

Case No. 19-22744-shl

Debtor.
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CREDITOR LOSS MITIGATION AFFIDAVIT

I, Mark E. Cohen, Esq., being sworn, say:

I am not a party to this action, am over 18 years of age and maintain my law offices in Forest Hills, New York.

On August 7, 2019, I served a true copy of the financial packet and this “*Creditor Loss Mitigation Affidavit*”¹ upon the following parties via (first class mail, facsimile or email) at the following addresses:

Vincent M. Zaccardo, Chapter 13 Debtor
116 Briarcliff Drive South, Ossining, NY 10562

Timothy Holden, Esq., Attorney for Chapter 13 Debtor
445 Hamilton Avenue, Suite 1102, White Plains, NY 10601

Pursuant to that request, the Debtor² must provide the following documents:

- ☒ The Financial Information for Loss Mitigation Evaluation (completed & signed);
- ☒ Copies of the last two month's' paycheck stubs reflecting year-to-date income of borrower and/or co-borrower (if any);
- ☒ Copies of the three most recent bank statements (with all pages) for all checking and/or savings accounts in which any borrower has an interest;
- ☒ Copies of the last two years' tax returns, with all pages and schedules;
- ☒ Copies of all Forms W-2, 1099 and K-1 for all borrowers on the account for the most recent two years;
- ☒ Copies of current lease agreements for all rental income listed;
- ☒ Signed IRS Form 4506-T or Internal Revenue Service Form 4506T-EZ;

¹ Italicized words in quotations indicate that there is a form by the same name on the Bankruptcy Court's website. These forms shall be used whenever applicable.

² Unless otherwise provided herein, all capitalized terms are defined in the Southern District of New York's Loss Mitigation Program Procedures. The Loss Mitigation Program Procedures' definition of “Debtor” includes joint debtors.

- ☒ A copy of a utility bill for the most recent month showing borrower name and subject property address as service address;
- ☒ Signed and dated year-to-date Profit and Loss Statement, if self-employed; and
- ☒ A letter stating the request for a payment arrangement and detailing the circumstances surrounding your client(s) current financial situation (Hardship Letter).

Please be advised that the Creditor designates the following person to be its Loss Mitigation contact:

Name: Cameron Belitz
Title: Asset Manager
Office: 1-888-566-3287 x 12654
Direct: 714-640-2654
Private Fax: 877-566-3287
Email Address: CBelitz@Kondaur.com

Please be advised that the Creditor designates the following person to be its attorney for Loss Mitigation on this Loan.

Name: Mark E. Cohen, Esq.
Firm: Mark E. Cohen, Esq.
Phone Number: (718) 258-1500
Fax Number: (718) 793-1627
Email Address: mecesq@aol.com

Dated: Forest Hills, New York
August 7, 2019

MARK E. COHEN, ESQ.
By: /s/ Mark E. Cohen, Esq.
Attorney for Secured Creditor
Kondaur Capital Corporation,
not in its individual capacity but solely
in its capacity as separate trustee of
Matawin Ventures Trust Series 2019-1
108-18 Queens Boulevard
4th Floor, Suite 3
Forest Hills, New York 11375
Telephone (718) 258-1500
Our File No. K.052-895